

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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IN RE HERLEY INDUSTRIES, INC. : Civil Action No. 06-CV-2596  
SECURITIES LITIGATION :  
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**DEFENDANTS' MOTION FOR PROTECTIVE ORDER**

Defendants Herley Industries, Inc. (“Herley”), Lee Blatt (“Blatt”), Myron Levy (“Levy”), Anello C. Garefino (“Garefino”), Thomas V. Gilboy (“Gilboy”), and John M. Kelley (“Kelley”), by and through their undersigned counsel, respectfully submit this Motion For Protective Order permitting Defendants to not respond to the Plaintiff’s Requests for Admissions served over ten months after the Court ordered deadline for fact discovery in this case had lapsed. For the reasons set forth in the attached Memorandum of Law, which is incorporated by reference, Defendants respectfully request that an Order be entered in the proposed form attached.

May 12, 2010

Respectfully Submitted,

/s/ James T. Smith

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